

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

JAMES DERRICK O'NEAL,	:	CASE NO. 1:02CV 0357
Petitioner,	:	District Judge Sandra S. Beckwith
	:	Magistrate Judge Michael R. Merz
v.	:	
MARGARET BAGLEY, Warden	:	<u>PETITIONER'S MOTION OF WRIT</u>
	:	<u>OF HABEAS CORPUS AD</u>
Respondent.	:	<u>TESTIFICANDUM</u>

Now comes Petitioner, James O'Neal, by and through counsel, and moves this Court for an Order to have the person of James Derrick O'Neal, Inmate #325-132 at the Ohio State Penitentiary in Youngstown, Ohio, transported under safe and secure conduct before the United States District Court Chief Magistrate Judge for the Southern District of Ohio for an evidentiary hearing scheduled for Thursday, the 29th day of May, 2008 at 9:00 a.m. at the United States District Court, 200 W. Second Street, Fifth Floor, Dayton, Ohio and to remain within said District until the conclusion of the evidentiary hearing.

Respectfully submitted,

/s/ Michael W. Krumholtz
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ATTORNEYS FOR PETITIONER

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing was electronically filed and served to Stephen E. Maher, Assistant Attorney General, Capital Crimes Section, 30 East Broad Street, 23rd Floor, Columbus, Ohio 43215-3428, by e-mail via electronic filing on this **6th** day of **March, 2008**.

/s/ Michael W. Krumholtz
Counsel for James Derrick O'Neal

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